

DEPARTMENT OF INDUSTRIAL RELATIONS
Workers' Compensation Appeals Board
Post Office Box 429459
San Francisco CA 94142-9459
(415) 703-4580



April 4, 2003

IMPLEMENTATION MEMORANDUM

RULE 10414

- A) Review of Declarations of Readiness to Proceed (DORs) by the presiding workers' compensation judge or his or her designee is no longer required. However, review of the following categories of DORs is permissible prior to calendaring:

1. DORs filed by lien claimants, to determine whether the case-in-chief has been resolved (see Labor Code section 4903.5(d)); and
2. DORs to Proceed to Expedited Hearing, to determine whether an expedited hearing is appropriate under Labor Code section 5502(c).

Otherwise, hearings shall be calendared on request, subject to WCAB Rule 10416. Nonetheless, if prior to a scheduled hearing both parties inform the WCJ that the disputes in issue have been resolved, the hearing shall be taken off calendar without requiring appearances by the parties.

- B) After trial and service of a recommended rating, a party may file a DOR, noting under "other issues" that the party wishes to cross-examine the Disability Evaluator and/or present rebuttal evidence. The DOR shall be delivered to the office of the WCJ who has heard the case or shall be filed by mail to the personal attention of the WCJ. Upon receipt of the DOR, the WCJ shall schedule the case for trial pursuant to his or her discretion under WCAB Rule 10420.